

shall be captured or be permitted to be placed in such private game preserve which are now running wild in this state, unless permission is specifically granted by the State Game and Fish Board. The animals in such private game preserves shall not be subject to the provisions of the game laws of the State of North Dakota.

§ 2. REPEAL.] All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Approved March 10, 1917.

GARNISHMENT

CHAPTER 124.

[H. B. No. 345—Fraser.]

GARNISHMENT PROCEEDINGS.

An Act Relating to Garnishment Proceedings in the District Court and County Courts of Increased Jurisdiction; Providing for Witness Fees; Requiring the Filing of Summons and Affidavit; Prescribing the Manner of Making Defense and Claim for Exemptions.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. WITNESS FEES.] In all garnishment proceedings in the District Court and County Courts of increased jurisdiction, the plaintiff, when the garnishment summons is served upon the garnishee, shall tender to the garnishee his traveling fees and fees for one day's attendance which fee shall be the same as witness fees in the District Court. If the same be not paid or tendered to the garnishee, he shall not be obliged to appear and answer or file any affidavit, or be otherwise liable as garnishee in the action. The return of service shall show that such fee was duly tendered to the garnishee at the time of service.

§ 2. FILING PAPERS WHEN ACTION DISMISSED.] The garnishment summons and affidavit of garnishment shall be filed in the office of the clerk of the court in which such action is commenced within ten days after service thereof on the garnishee, or the garnishment proceedings shall be deemed discontinued.

§ 3. DEFENDANT MAY DEFEND GARNISHMENT PROCEEDINGS; CLAIM FOR EXEMPTION, WHEN HEARD.] The garnishee may at his option defend the principal action for the defendant if the latter does not but shall be under no obligation so to do; provided that in all cases where the defendant claims the debt or property garnished to be exempt, such claim of exemption may be heard and determined by the court at any time after the claim is made on three days' notice to the opposite party.

Approved March 10, 1917.